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RHHMUNA/HQ USPACOM HONOLULU HI IMMEDIATE  
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C O N F I D E N T I A L SECTION 01 OF 02 TOKYO 003189

SIPDIS

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TAGS: [PGOV](#) [JA](#)

SUBJECT: DPJ BLOCKS OEF BILL, REQUIRING DIET EXTENSION

REF: A. TOKYO 3079

[1](#)B. TOKYO 3142

[1](#)C. TOKYO 3155

Classified By: Ambassador J. Thomas Schieffer, reasons 1.4(b),(d).

[1](#)1. (C) Summary: The DPJ followed through on its promise to boycott Upper House deliberations on the OEF refueling legislation November 18, hoping to force PM Aso's hand on submission of a second supplementary budget bill and speed dissolution of the Lower House and a snap election. The opposition party returned to the Diet on November 19, but says it will refuse to take a vote on the OEF bill and other key legislation. Ruling party leaders, meanwhile, continue to assert that the second supplementary budget is not likely to be submitted for consideration until the new Diet session opens in January. At this point, Embassy contacts say, the ruling coalition will have no choice but to extend the Diet session beyond its scheduled close on November 30 to allow the Lower House to pass the measure into law by a two-thirds majority re-vote in mid- to late December. Aso told reporters after a face-to-face meeting with DPJ leader Ozawa November 17 that he will not decide on the extension until the last possible moment. While the timing of the extension may still be in doubt, however, the fundamental decision to extend appears to have already been made. End Summary.

[1](#)2. (C) The main opposition Democratic Party of Japan (DPJ) boycotted most proceedings in the Upper House on November 18, bringing to a temporary halt deliberations on anti-terror legislation to authorize the continuation of Japan's refueling efforts in the Indian Ocean in support of Operation Enduring Freedom (OEF). The Upper House Foreign Affairs and Defense Committee convened in the morning but adjourned without a vote on the refueling bill. DPJ lawmakers returned to the Upper House on November 19, but have made clear that they have no intention of taking a vote on Prime Minister Taro Aso's two legislative priorities, the OEF measure and a bill to revise the Special Measures Law to Strengthen Financial Institutions, until he submits a second supplementary budget request (Ref A). "I cannot say clearly when I will be able to submit the budget bill at this stage," Aso reportedly told Ozawa during a face-to-face meeting November 17, but he did not foreclose the possibility that it could happen before the end of the year. He and other ruling party officials deny holding the budget bill back intentionally, claiming that they are still working out the

details.

13. (C) At this point, the DPJ appears ready to hold the OEF measure in the Upper House for the constitutionally-allowable maximum of 60 days, according to Embassy contacts, after which a bill is considered rejected and can be passed into law by a two-thirds majority re-vote in the Lower House. The bill was first sent to the Upper House on October 21, the same day it was passed in the Lower House. The ruling coalition had hoped to pass the OEF bill into law on November 20 (Ref B), but a MOFA contact conceded November 19 that the bill is "frozen" and "won't be going anywhere" before the scheduled end of the current Diet session on November 30. He predicted the bill would pass on December 24, calling it a "Christmas present" for the United States. Most Japanese dailies reported November 19 that Aso will probably extend the Diet session for approximately 25 days for passage of the OEF bill, after which he will consider a second extension for the financial legislation, which can be passed by a two-thirds override beginning on January 5. MOD contacts have laid out a very similar timeline for the OEF bill, but Aso has yet to make any sort of formal announcement. Chief Cabinet Secretary Takeo Kawamura acknowledged during a news conference November 18 that "the time will come when the government must decide whether to extend the Diet session to achieve passage of its legislative priorities," but insisted that no decision had been reached as of that time.

14. (C) The DPJ has stalled Upper House consideration of the OEF bill for weeks, setting a steady stream of conditions to

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keep the ruling coalition on the defensive. The November 20 date was only the most recent target, set last week after the ruling parties agreed to summon General Toshio Tamogami to testify on his controversial historical views (Ref C). DPJ contacts have affirmed to the Embassy on numerous occasions that their strategy is to force Prime Minister Taro Aso to dissolve the Lower House by the end of this year for a snap election in January. To speed things along, they were once willing to move quickly in voting down the government's legislative priorities in the Upper House. That strategy fell apart when Aso refused to be pinned down on a timetable for submission of the supplementary budget proposal during the current Diet session, even after the face-to-face meeting with Ozawa.

15. (C) Ironically, Ozawa had originally opposed the idea of a leaders' meeting, claiming the LDP would attempt to use the opportunity to grandstand. He later changed his mind after it became clear that Aso had no intention of submitting the second supplementary budget bill during the remainder of the current session. Ozawa thus found himself in the awkward position of suddenly arguing in favor of an extension that he had opposed all along, simply as a means of ensuring that Aso could complete his legislative agenda by the end of the year and move forward on dissolving the Lower House. As in the past, the much smaller Social Democratic Party (SDP) and Japan Communist Party refused to join the DPJ in its one-day boycott, dividing the opposition. The DPJ controls only a plurality of seats in the Upper House, and has sometimes been forced to back-track on decisions in order to satisfy the SDP and JCP and maintain a loosely-defined coalition. DPJ lawmakers did attend deliberations in the Lower House on November 18, where they voted with the ruling coalition on an amendment to the Nationality Law to recognize children born out of wedlock to Japanese fathers and non-Japanese spouses. SCHIEFFER